

Coast Guard, DOT

§ 100.35

FR 67570, Dec. 29, 1997, the effective date was delayed until Jan. 1, 1999. At 63 FR 71754, Dec. 30, 1998, the effective date was further delayed until Jan. 2, 2000.

§ 100.19 Appeals.

The sponsor of a marine event for which the District Commander has denied a permit may appeal that decision in writing to Chief, Operations, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, within 7 days of the date of the determination. After considering all material presented, the Chief, Operations, notifies the petitioner of the decision. The decision by the Chief, Operations, is final agency action.

[CGD 95-054, 61 FR 33033, June 26, 1996; CGD 95-054, 61 FR 36292, July 10, 1996]

EFFECTIVE DATE NOTE: At 61 FR 33033, June 26, 1996, § 100.19 was added, effective Jan. 1, 1997. At 61 FR 60028, Nov. 26, 1996, the effective date was delayed until Jan. 1, 1998. At 62 FR 67570, Dec. 29, 1997, the effective date was delayed until Jan. 1, 1999. At 63 FR 71754, Dec. 30, 1998, the effective date was further delayed until Jan. 2, 2000.

§ 100.20 Action on application for event assigned to State regulation by Coast Guard-State agreement.

(a) Upon receipt of an application for a regatta or marine parade of a type assigned to a State for regulation under a Coast Guard-State agreement, the District Commander will forward the application to the State authority having cognizance of the event. Further processing and decision upon such an application shall be conducted by the State.

(b) [Reserved]

§ 100.25 Action on application for event not assigned to State regulation by Coast Guard-State agreement.

(a) Where an event is one of a type not assigned to the State for regulation under a Coast Guard-State agreement (or where no such agreement has been entered), the Commander of a Coast Guard District who receives an application for a proposed regatta or marine parade to be held upon the navigable waters of the United States within his district shall take the following action:

(1) He shall determine whether the proposed regatta or marine parade may be held in the proposed location with safety of life. To assist in his determination, he may, if he deems it necessary, hold a public hearing to obtain the views of all persons interested in, or who will be affected by, the regatta or marine parade.

(2) He will notify the individual or organization which submitted the application:

(i) That the application is approved, and the nature of the special local regulations, if any, which he will promulgate pursuant to § 100.35; or

(ii) That the interest of safety of life on the navigable waters of the United States requires specific change or changes in the application before it can be approved; or

(iii) That the event requires no regulation or patrol of the regatta or marine parade area; or

(iv) That the application is not approved, with reasons for such disapproval.

EFFECTIVE DATE NOTE: At 61 FR 33033, June 26, 1996, § 100.25 was removed, effective Jan. 1, 1997. At 61 FR 60028, Nov. 26, 1996, the effective date was delayed until Jan. 1, 1998. At 62 FR 67570, Dec. 29, 1997, the effective date was delayed until Jan. 1, 1999. At 63 FR 71754, Dec. 30, 1998, the effective date was further delayed until Jan. 2, 2000.

§ 100.30 Approval required for holding event.

(a) An event for which application is required under § 100.15(a) shall be held only after approval of such event by the District Commander, except that applications referred to a State under § 100.10 shall be governed by the laws of that State.

EFFECTIVE DATE NOTE: At 61 FR 33033, June 26, 1996, § 100.30 was removed, effective Jan. 1, 1997. At 61 FR 60028, Nov. 26, 1996, the effective date was delayed until Jan. 1, 1998. At 62 FR 67570, Dec. 29, 1997, the effective date was delayed until Jan. 1, 1999. At 63 FR 71754, Dec. 30, 1998, the effective date was further delayed until Jan. 2, 2000.

§ 100.35 Special local regulations.

(a) The District Commander may issue regulations to promote safety of life on the navigable waters immediately before, during, and immediately after a marine event.